

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

STEWART TITLE GUARANTY)
COMPANY,)
Plaintiff,)
v.)
CHICAGO TITLE INSURANCE) DOCKET NO. 04-10783-GAO
COMPANY)
Defendant)
and)
BSC GROUP, INC.)
Third Party Defendant)

JOINT STATEMENT

The Plaintiff, Stewart Title Guaranty Company (“Stewart”), the Defendant, Chicago Title Insurance Company (“Chicago”), and the Third-Party Defendant, BSC Group, Inc. (“BSC”), through their counsel, hereby submit the following Joint Statement:

Joint Discovery Plan

1. Initial disclosures under Fed. R. Civ. P. 26(a)(1) to be made by August 31, 2005.
2. All written discovery, excluding requests for admission, shall be served on or before September 30, 2005. No party may conduct any discovery until it has made its initial disclosures.
3. All depositions shall be conducted on or before January 31, 2006.
4. Stewart and Chicago shall disclose expert testimony under Fed. R. Civ. P. 26(a)(2) by November 30, 2005. BSC shall disclose expert testimony under Fed. R. Civ. P. 26(a)(2) by December 30, 2005.

5. Requests for admission shall be served by January 17, 2006.

Proposed Schedule for the Filing of Motions

1. Amended pleadings to be served by August 31, 2005.
2. Motions for Summary Judgment shall be filed on or before March 15, 2006.
3. Pretrial Disclosures to be made within the times set forth in Fed. R. Civ. P. 26(a)(3).
4. The parties request that trial be scheduled approximately twelve months after the initial scheduling conference.

Alternative Dispute Resolution and Trial by Magistrate Judge

The parties agree to engage in mediation through the alternative dispute resolution program administered by the United States District Court for the District of Massachusetts, or through any other mediator agreed upon by the parties. The parties do not, at this time, consent to trial before a Magistrate Judge.

Certifications

The parties and their counsel will file separate certifications in accordance with Local Rule 16.1(D)(3).

STEWART TITLE GUARANTY
COMPANY,
By its attorneys,

Thomas M. Looney
Thomas M. Looney (BBO #555040)
Richard E. Gentilli (BBO #189080)
Bartlett Hackett Feinberg P.C.
10 High Street, Suite 920
Boston, MA 02110
Phone: 617-422-0200
Fax: 617-422-0383

CHICAGO TITLE INSURANCE
COMPANY
By its attorneys,

E. Randolph Tucker (TMC)
E. Randolph Tucker (BBO #503845)
Michael D. Vhay (BBO #566444)
Bruce S. Barnett (BBO #647666)
DLA Piper Rudnick Gray Cary US LLP
One International Place, 21st floor
100 Oliver Street
Boston, MA 02110-2613
Phone: 617-406-6000
Fax: 617-406-6100

BSC GROUP, INC.
By its attorneys,

Nancy M. Reimer (TMC)
David J. Hatem (BBO #225700)
Nancy M. Reimer (BBO #555373)
Donovan Hatem LLP
Two Seaport Lane
Boston, MA 02210
Phone: 617-406-4500
Fax: 617-406-4501

Dated: July 5, 2005